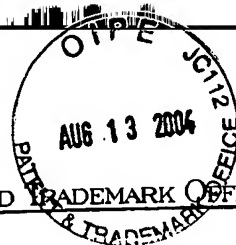




UNITED STATES PATENT AND TRADEMARK OFFICE



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IFW #

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,444	03/30/2004	T. Mark McCleskey	S-100,544

CONFIRMATION NO. 3386

35068
 UNIVERSITY OF CALIFORNIA
 LOS ALAMOS NATIONAL LABORATORY
 P.O. BOX 1663, MS A187
 LOS ALAMOS, NM 87545

FORMALITIES LETTER



OC000000013003835

Date Mailed: 06/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

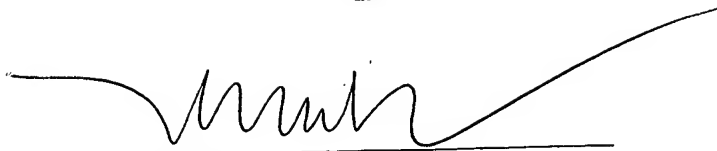
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/16/2004 MAHRED1 00000019 122150 10812444

01 FC:2051 65.00 DA

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Rev. 03/30/04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas M. McCleskey

Docket No.: S-100,544

Serial No.: 10/812,444

Examiner:

Filed : 3/30/2004

Art Unit:

For : QUANTITATIVE METHOD OF DETERMINING BERYLLIUM OR A
COMPOUND THEREOF IN A SAMPLE

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS

- I. ☒ The following is a reply to the Notice to File Missing Parts of Nonprovisional Application (PTO-1533) dated June 21, 2004.
- ☐ A copy of the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (Form PTO-1533) is enclosed.
- ☐ A submission of substitute drawings as required by the Notice to File Missing Parts of Nonprovisional Application dated _____ is enclosed.

DECLARATION OR OATH

- II. ☒ No original declaration or oath was filed and enclosed is the original declaration or oath for this application.
- ☐ The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

FACSIMILE

☐ transmitted by facsimile to the United States Patent and Trademark Office

Signature

Date August 11, 2004

Bruce H. Cottrell
(type or print name of person certifying)

Attached is a

- ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

AMENDMENT CANCELING CLAIMS

- III. ☐ Cancel claims _____.

SMALL ENTITY STATUS

- IV. ☒ Applicant is entitled to small entity status.
- ☐ Applicant is other than a small entity.

COMPLETION FEES

- V. 1. Filing fee
- ☐ original patent application 37 CFR 1.16(a))-
\$770.00; Small entity-\$385.00 \$ _____
2. Fees for claims
- ☐ each independent claim in excess of 3
(37 CFR 1.16(b))- \$86.00; small entity-\$43.00 \$ _____
- ☐ each claim in excess of 20 (37 CFR 1.16(c))-
\$18.00; small entity-\$9.00 \$ _____
- ☐ multiple dependent claim(s) (37 CFR 1.16(d))-
\$290.00; small entity-\$145.00 \$ _____
3. Surcharge fees
- ☐ late payment of filing fee
- and/or
- ☒ late filing of original declaration or oath
(37 CFR 1.16(e))- \$130.00; small
entity-\$65.00 \$ 65.00

4. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor
(37 CFR 1.47)-\$130.00 \$_____

TOTAL COMPLETION FEES\$ 65.00**EXTENSION OF TIME FEES**

(complete (a) or (b) as applicable)

VI. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

EXTENSION OF TIME FEE

\$ _____

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

EXTENSION FEE DUE WITH THIS REQUEST

\$ _____

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VII. The total fee due is

Completion fee(s) \$ 65.00
Extension fee (if any) \$ _____

TOTAL FEE DUE\$ 65.00

VIII.

- ☐ enclosed is a check in the amount of \$_____
- ☒ charge Account No. 12-2150 in the amount of \$ 65.00

A duplicate of this transmittal is attached.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

IX.

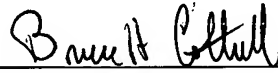
- ☐ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 12-2150.
- ☐ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☐ 37 CFR 1.16(b), (c), or (d) (presentation of extra claims)
- ☐ 37 CFR 1.17 (application processing fees)

X. As to any overpayment made please

- ☒ Credit to Account No. 12-2150.
- ☐ Send refund check.

Respectfully submitted,

Date: August 11, 2004



Signature of Attorney

Reg. No. 30,620
Phone (505) 667-9168

Bruce H. Cottrell
Los Alamos National Laboratory
LC/IP, MS A187
Los Alamos, New Mexico 87545